

Town of Cheswold
1856



State of Delaware
1787

**Town of Cheswold
Minutes of the Monthly Town Council Meeting
691 Main Street
Cheswold, Delaware 19936
Tuesday - July 6, 2021
6:00 p.m.
Council Members Only**

ZOOM Teleconference

1-929-205-6099 Meeting ID: 9728359352#
<https://us02web.zoom.us/j/9728359252>

The following persons were in attendance in person:

Mayor Santo Faronea
Vice Mayor Michael Wysong
Secretary/Treasurer Theon Callender
Councilperson Judith Johnson
Councilperson Mark Moxley
Councilperson Maxwell Amoako

Police Department: Chief Chris Workman

Administration: Town Clerk Shadina Jones

Administrative Clerk: Camryn Tunnell

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 30, 2020, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on June 29, 2021. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Faronea at 5:02 pm and immediately followed by the Pledge of Allegiance and a Moment of Silence.

PROPERLY POSTED: Ms. Callender noted that the meeting posted was properly posted on June 29, 2021.

ROLL CALL:

Mayor Faronea requested Administrative Clerk Camyrn Tunnell to call the roll. And with six (6), members of the six (6) person Council present, Ms. Callender presented a quorum to the Mayor and the meeting continued.

REVIEW of AGENDA

Mayor Faronea requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

Vice Mayor Wysong made a motion to accept the agenda as presented and Councilperson Moxley made a second to the motion. A unanimous roll call vote of the Town Council approved the motion.

REVIEW of PEVIOUS MONTHS MINUTES

Mayor Faronea requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

A motion to accept the Town Council minutes, as presented was made by Councilperson Moxley and Councilperson Johnson made a second to approve the motion. A roll call vote on the motion resulted in a unanimous vote to approve the minutes as follows:

June 7, 2021 – Monthly Town Council Meeting

TREASURER'S REPORT:

The Mayor requested Council to review the following Treasury Reports and to make any necessary statements and/or to make a motion to approve reports:

- a. The Treasurer's Reports for the **Month of June 2021**, is as follows:

Monthly Cash Flow Comparisons

| TOWN of CHESWOLD | JUNE 2021 |
|-----------------------------------|------------------------|
| Cash Receipts | \$ 74,731.71 |
| Cash Disbursements | \$ 378,098.27 |
| Negative Monthly Cash Flow | (\$ 303,366.56) |

| ADMINISTRATION | JUNE 2021 |
|-----------------------------------|------------------------|
| Cash Receipts | \$ 44,871.04 |
| Cash Disbursements | \$ 359,416.28 |
| Negative Monthly Cash Flow | (\$ 314,545.24) |

| POLICE DEPARTMENT | JUNE 2021 |
|-----------------------------------|-----------------------|
| Cash Receipts | \$ 3,385.84 |
| Cash Disbursements | \$ 17,061.99 |
| Negative Monthly Cash Flow | (\$ 13,706.16) |

| PUBLIC WORKS | JUNE 2021 |
|-----------------------------------|---------------------|
| Cash Receipts | \$ 26,504.86 |
| Cash Disbursements | \$ 1,620.00 |
| Positive Monthly Cash Flow | \$ 24,864.86 |

b. The Treasurer’s Report, (Account Balances), for the Month of June 2021, is as follows:

| as of: | JUNE 2021 |
|-------------------------------|---------------|
| Capital Account | \$ 29,967.67 |
| Cheswold Heritage Day Account | \$ 4,793.57 |
| Eide Grant Fund Account | \$ 4,504.90 |
| Public Safety Account | \$ 44,613.67 |
| General Fund Account | \$ 786,112.01 |
| Land Use Applicant’s Account | \$ 65,462.35 |
| Litigation Account | \$ 4,269.02 |
| Municipal Street Aid Account | \$ 52,543/76 |
| Salle Grant Fund Account | \$ 1,689.91 |
| DelDOT Projects | \$ 107,656.00 |

c. Requisitions –

| <u>Req. #</u> | <u>Department</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By</u> |
|--------------------------|-------------------|---------------|-------------|---------------|----------------------|
| NOTHING TO REPORT | | | | | |

b. Proposed Purchase/s -

| <u>Req. #</u> | <u>Dept.</u> | <u>Vendor</u> | <u>Item</u> | <u>Amount</u> | <u>To Be Paid By:</u> |
|--------------------------|--------------|---------------|-------------|---------------|-----------------------|
| NOTHING TO REPORT | | | | | |

The Mayor asked for a motion to approve the Treasurers Report, including Requisitions and Proposed Purchases.

A motion was so made by Councilperson Johnson and with a second from Councilperson Moxley and with a unanimous roll call vote, the motion passed.

c. 2021-2022 BUDGET REVIEW/VOTE – *Town Clerk Shadina Jones*

Ms. Jones reported that due to software issues with the accounting system the Budget Summary for fiscal year 2021-2022 was not ready for presentation, but will be presented at the August Town Council meeting.

TAX COLLECTOR’S REPORT – *Town Clerk Shadina Jones*
Month of June 2021

TAX REPORT: FISCAL YEAR 2020 – 2021

Total Amount Billed: \$157,085.40

Total Amount Paid: \$147,506.36

| As of: | Current Year: | Past Due Paid: |
|-------------------|------------------|------------------|
| 07/31/2020 | \$ 580.01 | \$ 199.21 |
| 08/31/2020 | \$ 37,604.14 | \$ 300.77 |
| 09/30/2020 | \$ 26,157.93 | \$ 819.35 |
| 10/31/2020 | \$ 22,650.37 | \$ 546.30 |
| 11/30/2020 | \$ 53,231.64 | \$ 2,565.43 |
| 12 /31/2020 | \$ 4,213.87 | \$ 2,247.33 |
| 01/31/2021 | \$ 2,577.00 | \$ 421.99 |
| 02/29/2021 | \$ 491.50 | \$ 44.65 |
| 03/31/2021 | \$ 3,070.30 | \$ 661.23 |
| 04/30/2021 | \$ 376.39 | \$ 105.26 |
| 05/31/2021 | \$ 2,020.76 | \$ 693.83 |
| 06/30/2021 | \$ 516.54 | \$ 482.63 |

b. DELINQUENT TAXES – *Town Clerk Shadina Jones*

Nothing new to report.

A motion was made by Vice Councilperson Johnson to accept the Tax Report as submitted and a second was made by Councilperson Moxley. A unanimous roll call vote resulted in the passage of the motion.

POLICE DEPARTMENT REPORT – *Chief Christopher Workman:*

Chief Workman presented the following June 2021 report:

Hiring – The Department has placed ads on local e-mail, social media and law enforcement job outlets for the hiring of one, (1), recruit officer or COPT certified officer to replace the officer lost to the Smyrna PD. Applications will close on Friday, August 13th at 4:30 p.m.

POLICE DEPARTMENT REPORT – “continued”

Training – During the course of the next budgeted year, the Department will be sending officers for training to instructor’s courses in Baton, Taser and OC spray. In order to keep up with training demands for the Department in these areas, the Chief feels it is more cost efficient and effective to have in-house instructors in these areas.

State of Delaware Accreditation – On June 2, 2021, the Cheswold Police Department with the assistance of the Department of Accreditation initiated the process for the Department to become a State Accredited Law Enforcement Agency. During this process there will be policy reviews and changes to bring the Department up to date with the procedures of the Accreditation program.

OHS Speed Equipment – The Department received approval to make a purchase of one solar radar speed sign with data capabilities to be installed on one of our main roadways to monitor and record traffic flow and speeds. This equipment is being purchased through a grant applied by the State of Delaware Office of Highway Safety. It has been approved and ordered.

EDIE Grant D44-21 – Closed out. Grant was used to purchase ballistic vests and equipment for officers to be prepared for any active shooter situations. This gear includes a ballistic helmet and vest which is set for a grab and go situation.

Crisis Intervention Team Training – Chief Workman and Master Cpl. Simms have completed a 40 hour course by NAMI Delaware for a better understanding of and assisting those in crisis situations. In June 2020, Chief Workman added a new policy to provide guidance to employees when responding to or encountering situations involving persons displaying behaviors consistent with mental illness or crisis, and direction in handling individuals who may be in a state of excited delirium.

This added policy now requires all officers of the Cheswold Police Department to become CIT trained. At this time, three, (3), of the four, (4), full time employees have completed this training. Copies of this policy and other non-procedural policies can be found at:

<https://cheswold.delaware.gov-police-department-policy-and-procedure-manual/>

POLICE DEPARTMENT REPORT – “continued”

Fox Pointe Policing Request – Chief Workman informed the Mayor and Council that the owners of the Fox Pointe Development has requested the Cheswold Police Department to enforce State of Delaware traffic regulations within the Development. They were informed that they would have to upgrade signage to meet State standards.

Vice Mayor Wysong asked if Fox Pointe had an active HOA. The Chief responded no and explained that the owner of the Development owns the land and the residents rent the lots, so the owner makes decisions on how and what business is conducted there,

A motion to approve the request was made by Vice Mayor Wysong and seconded by Councilperson Johnson. A roll call vote passed the motion.

TRAFFIC

Traffic Violations Charged –

Officers issued 144 traffic summons’s during the month of June. These are the number of violations issued. (One traffic stop could equal 2 violations, eg. Speeding, no driver’s license)

Actual Traffic Stops - 112

Graphs depicting traffic stops made in May and dispositions, were presented to the Council. The following reflects the data depicted on the graphs by ethnic and gender:

Male Traffic Stops

African American – 22
Caucasian – 32
Latino – 6
Other/Undetermined - 7

Female Traffic Stops

African American – 25
Caucasian – 16
Latino – 1
Other/Undetermined - 1

Dispositions

Summons

African American – 44
Caucasian – 47
Latino – 2
Other/Undetermined - 9

Verbal Warnings

African American – 3
Caucasian – 1
Latino – 0
Other/Undetermined - 0

Written Warnings

African American – 0
Caucasian – 0
Latino – 0
Other/Undetermined - 1

In an effort to expand transparency it is added to the monthly report to show who our officer’s stop for violations and how they complete the stop.

POLICE DEPARTMENT REPORT – “continued”

Anyone interested in obtaining a copy of the associated graphs may send an email request to Cheswold.office@comcast.net or apply in person at Town Hall.

Monthly Activity Report –

Officers responded to or completed reports for 134 Incidents for the month of June.

Monthly Incident Report – Is on file at Town Hall and is available upon request.

A motion was made by Vice Mayor Wysong to approve the Police Department report as submitted. A second to the motion was made by Councilperson Anoako and a roll call vote passed the motion.

IF YOU DON'T CALL WHO WILL - CALL 9-1-1

PUBLIC WORKS REPORT – Code Enforcement Officer Michael Callender

Mr. Callender presented the following report to members of the Council via e-mail prior to the meeting:

• **Status Report –**

| | <u>PERMITS ISSUED</u> | <u>NEW VIOLATIONS</u> | <u>CLOSED VIOLATIONS</u> | <u>BUSINESS LICENSES ISSUED</u> | <u>BUILDING INSPECTIONS</u> |
|-----------|---------------------------|---------------------------|------------------------------|---|---------------------------------|
| June 2021 | 8 | 0 | 0 | 10 | 0 |

- **30 New Street – UPDATE:** There has been no update on the sale of this property. **PENDING**
- **33 New Street – PENDING:** This property has had a recent inquiry concerning its' sale status.
- **53 School Lane – UPDATE:** This property's home installation process has had its; first inspection completed and a home has now been placed on the site.
- **77 School Lane – UPDATE:** This office is currently awaiting futher communication with the property owner regarding the plot plan.
- **179 Commerce St. –** There are no new updates on this property. We are still receiving inquiries into the possible purchase and/or rehabilitation of the property. . **PENDING**

PUBLIC WORKS REPORT - *continued*

VIOLATIONS: *Nothing to Report*

CONSTRUCTION PROJECTS:

- **Nobles Pond** - Construction continues as usual
- **Stonington** – Construction on four, (4), more homes are in the process and four, (4), more permits have since been issued.
- **Alston's Walk** – Nothing new has changed. Currently awaiting notice of pre-construction meeting.

Town Maintenance

- **Fire Prevention Project** – The water/fire hydrant installation has been completed. A dedication ceremony is scheduled for Thursday, July 8, 2021, at 11:30 am, in the School Lane park.
- **Town Signs** – The installation of Resident Parking and other signs throughout Town will continue along Commerce St., New and West Streets.

Councilperson Moxley made a motion to accept the Public Works report as presented. A second to the motion was made by Councilperson Amoako and it passed with a unanimous roll call vote.

PLANNING COMMISSION REPORT - *Land Use Administrator Sam Callender*

- Revision of Land Use Ordinance** – Article 4 continues to be in progress.
- 2020 Comprehensive Plan** – Ms. Callender reported that the Plan is with the State for submission to the Governor for signature.

A motion was made by Councilperson Moxley to accept the Planning Commission Report as submitted and a second was provided by Councilperson Amoako. A unanimous roll call vote passed the motion.

ORDINANCES for REVIEW/APPROVAL – *Town Administrator Sam Callender*

NOTHING TO REPORT

RESOLUTIONS for APPROVAL:

NOTHING TO REPORT

PROCLAMATIONS:

NOTHING TO REPORT

OLD BUSINESS:

Mayor Faronea requested a review of the open Town projects:

- **New Infrastructure** – Ms. Callender – Currently have no time line.
- **Economic Development Plan & Cheswold Business and Merchant’s Association** - Councilperson Amoako is planning to attend a meeting with the Central Delaware Chamber of Commerce.
- **Activities Committee** – Councilperson Johnson – The Mayor and Ms. Johnson committed to setting up a meeting with one another to discuss the potential for future Town activities.
- **Park Committee** – Vice Mayor Wysong reported that he met with Barry Jones, Jr., at the park and discussed the potential location for the community garden. They discussed the available options for fund collections: either the Town collects the funds, in which case the Town has the authority to use the funds for whatever is deemed necessary, whenever it is deemed necessary or Mr. Jones, Jr., can collect the funds and accept total responsibility and accountability for them. Mr. Jones, Jr., did not make a decision at the time. It was agreed that the the structure would be a 65’ x 65’ box garden and the money is needed for fencing.

He additionally reported that the overall design for the park has been put on hold, but the University of Delaware has agreed to go further with the design whenever the Town is ready.

- **Fire Prevention Project** – Status reported under Public Works.

OLD BUSINESS: "continued"

- **Protest Plan Team** – Pending review by Town Administrator.
- **MPO Participation** – The Mayor reported that a meeting is scheduled for July 7.
- **AMERICAN RESCUE PLAN ACT** – Mrs. Callender confirmed that the funds have been received and will be transferred to an account separate from the General Fund. She also provided information on the reporting requirements associated with the Act and other pertinent details including the need to continue to review the Interim Final Rule to determine how funds can be used.

She also informed the Mayor and Council of the potential to pay her as a consultant for the work that has to be done to properly administer the Act.

Councilperson Amoako requested a copy of the Interim Final Rule and Ms. Callender agreed to provide. *(e-mailed to the Councilperson after the meeting)*

- **COVID-19 RETURN to WORK GUIDELINES** – Ms. Callender and Chief Workman presented the written guidelines they prepared to address the extension of paying employees who may be affected by the COVID-19 virus and not able to report to work as scheduled.

The Mayor and Council reviewed the guidelines and a motion to approve them as presented was made by Councilperson Moxley. Vice Mayor Wysong made a second to the motion and a roll call vote passed the motion unanimously.

NEW BUSINESS:

- **Lawsuit Balance** – Ms. Callender provided the balance due of the lawsuit as of June 30, 2021. Additionally, she informed them, it is expected that the suit should be paid off by June 30, 2024, at the current rate of payments.
- **Consensus Decision** – The Mayor and Council discussed the following legislative bills and agreed on them as shown:
 - **Senate Bill 187** (EVs in Residential Communities) - Do not agree with bill as written. Municipalities should not be required to develop ordinances to construct EV stations in residential communities. It should be the decision of the municipality by residential vote.

NEW BUSINESS: *continued*

- **House Bill 244** (Revision of Fines) - Not sure of the ultimate purpose of bill. It does not address how whether an individual can pay will be determined. If intent and re-write provides that information and it clearly defines that it is intended to remove the automatic loss of a driver's license for the failure to pay a fine, then it would be agreeable.

COMMUNITY COMMENTS:

Nothing to Report

COUNCILPERSON COMMENTS:

Vice-Mayor Michael Wysong – *NOTHING to REPORT*

Secretary/Treasurer Theon Callender – *revised the Hazard Mitigation Plan to include the need for a generator and a foundation for Town Hall. Chief Workman has agreed to follow-up with processing a DEMA grant that may provide the funds for a generator.*

Councilperson Judith Johnson – *NOTHING to REPORT*

Councilperson Mark Moxley – *welcomed Councilperson Johnson make after her vacation.*

Councilperson Maxwell Amoako – *asked for the Town tax rate. Town Clerk Jones explained that it is \$.60 per \$100 of assessed value. She additionally explained that the assessments are done by Kent County and that the Cheswold tax rate has been the same for more than 20 years.*

MAYOR FARONEA'S COMMENTS – *NOTHING to REPORT*

Motion to Adjourn

A motion was made by Councilperson Callender seconded by Councilperson Moxley to adjourn at 7:03 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

Submitted by: Secretary/Treasurer Sam Callender – July 19, 2021